

DECLARATION FOR PATENT APPLICATION

I, Charles W. Schibi, hereby declare:

I reside in Corpus Christi, Nueces County, Texas, have a post office address at 4706 Grand Lake, Corpus Christi, Texas 78413 and am a citizen of the United States of America.

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled PLASTIC LINED CANAL, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment filed heretofore.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, CFR section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, section 119 of any foreign application for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed: NONE.

I hereby appoint G. Turner Moller, Registration 22,978, my attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith. Make all telephone calls to G. Turner Moller at 361/883-7257. Address all correspondence to G. Turner Moller, 711 North Carancahua, Suite 720, Corpus Christi, Texas 78475.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Inventor's signature Charles W. Schibi. Date 1-15-01

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9 (f) AND 1.27(c)) - SMALL BUSINESS CONCERN

I, Charles W. Schibi hereby declare that I am president of Engineered Lining Systems, Inc., a Texas Corporation having an address at 5959 South Staples, Corpus Christi, Texas 78413 and am empowered to act on behalf of the corporation.

I hereby declare that Engineered Lining Systems, Inc. qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full time, part time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law remain with Engineered Lining Systems, Inc. with regard to the invention, entitled PLASTIC LINED CANAL filed herewith.

If the rights held by Engineered Lining Systems, Inc. are not exclusive, each individual, concern or organization having rights to the invention is listed below and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9 (d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

NONE

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Charles W. Schibi  
Charles W. Schibi

Date 1.15.01

VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
37 CFR 1.9(f) AND 1.27(b) - INDEPENDENT INVENTOR

I, Charles W. Schibi hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41.(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled PLASTIC LINED CANAL described in the specification filed herewith. I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9 (d) or a nonprofit organization under 37 CFR 1.9 (e).

I have not assigned, granted, conveyed or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention except that an implied license to use the invention is held by Engineered Lining Systems, Inc.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

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Date 1.15.01